

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

TRUSSWAY, LTD., §
Plaintiffs, §
v. § CIVIL ACTION NO.: 4:06-CV-00219
AJM FRAMERS, INC., JOHN WIGGS §
AND CONSTRUCTION RESOURCE §
SERVICES, INC., §
Defendants. §

STIPULATION OF DISMISSAL OF AJM FRAMERS, INC. WITH PREJUDICE

Plaintiff, Trussway, Ltd. ("Trussway") and Defendant AJM Framers, Inc. ("AJM"), file this stipulation of dismissal with Prejudice under FRCP 41(a)(ii), and respectfully show:

1. As Plaintiff Trussway and Defendant, AJM have settled their dispute regarding the above described case, Trussway and AJM hereby request that the Court dismiss AJM Framers, Inc. with prejudice and order that all costs be paid by the Party incurring same. No other Defendant, other than AJM Framers, Inc., shall be affected by this Stipulation of Dismissal.

2. The only other parties to the present litigation, Defendant John Wiggs ("Wiggs") and Defendant Construction Resource Services, Inc. ("CRS") consent to the dismissal with the understanding that the dismissal is not intended to address or otherwise affect claims, if any, which AJM may have against Wiggs and CRS, or that Wiggs and CRS may have against AJM.

WHEREFORE, Plaintiff Trussway Ltd. and Defendant AJM hereby request that the Court enter an order dismissing AJM Framers, Inc. with prejudice and ordering that all costs

be paid by the Party incurring same.

Respectfully agreed and submitted,

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ATTORNEY FOR
JOHN WIGGS

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

TRUSSWAY, LTD.,

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Plaintiffs,

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CIVIL ACTION NO.: 4:06-CV-00219

AJM FRAMERS, INC., JOHN WIGGS
AND CONSTRUCTION RESOURCE
SERVICES, INC.,

Defendants.

§

ORDER ON STIPULATION DISMISSING
AJM FRAMERS, INC WITH PREJUDICE

After considering Plaintiff Trussway, Ltd's and Defendant AJM Framers, Inc's Stipulation of Dismissal of AJM Framers, Inc. with Prejudice, consented to by Defendant John Wiggs and Defendant Construction Resource Services, Inc. the Court

GRANTS the Motion. It is, therefore,

ORDERED that Defendant AJM Framers Inc. is hereby dismissed from the above described and numbered lawsuit with prejudice as to claims brought by Plaintiff Trussway, Ltd, but such dismissal shall not affect any other claims between the parties, if any.

SIGNED this the ____ day of November, 2006.

U.S. DISTRICT JUDGE

Respectfully agreed and submitted,

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